

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
WESTERN DIVISION**

LIGURIA FOODS, INC.,	)	
	)	
Plaintiff,	)	Case No. 4:14-CV-3041-MWB
	)	
v.	)	
	)	
GRIFFITH LABORATORIES, INC.,	)	
	)	
Defendant.	)	

**LIGURIA FOODS, INC.'S AND GRIFFITH LABORATORIES, INC.'S  
AGREED MOTION TO EXTEND FACT AND EXPERT DISCOVERY**

Liguria Foods, Inc. (“Liguria”), by and through its attorneys, and Griffith Laboratories, Inc. (“Griffith”), by and through its attorneys, (Liguria and Griffith are collectively referred to herein as “the Parties”), for their Agreed Motion to Extend Fact and Expert Discovery, state as follows:

1. The Parties jointly request that the existing fact discovery schedule be extended by a period of ninety (90) days, with limited extensions to the existing expert discovery schedule. As noted below, these limited extensions will not alter this Court’s February 20, 2017 trial date or pretrial dates.
2. On September 3, 2015, the Court granted the Parties’ Agreed Motion to Extend Fact and Expert Discovery, Dispositive Motion Deadline and Trial Date, (Dkt. 33), and assigned new dates for fact discovery, expert discovery and dispositive motions. (Dkt. 34).
3. On September 11, 2015, the Court entered an order resetting the trial date to February 20, 2017. (Dkt. 35).

4. Fact discovery is presently set to close on February 1, 2016. (Dkt. 34). However, the fact discovery deadline has proven to be too narrow for the Parties.

5. Written discovery between the Parties remains ongoing and is more extensive and complicated than the Parties anticipated. The Parties, along with their experts, continue to review and investigate the large amount of documents that have been exchanged between the Parties.

6. Additionally, counsel for Liguria is preparing for a trial beginning on January 25, 2016. The trial is expected to last one week, with post-trial briefing to extend into early February of 2016.

7. Insofar as written and oral discovery remain ongoing, the Parties jointly request an extension of ninety (90) days, to April 30, 2016, to complete fact discovery.

8. The Parties further seek an extension of expert discovery, which is presently set to close on July 15, 2016. Such an extension is necessitated by the Parties need to complete written and oral discovery. The Parties that Plaintiff shall submit its Expert Witness Reports by May 30, 2016, Defendant shall submit its Expert Witness Reports by July 15, 2016, with Plaintiffs' Rebuttal Expert Reports due on August 15, 2016.

9. The proposed modifications to the discovery schedule would not require revisions to the existing dispositive motion deadline of September 15, 2016, the final pretrial conference of February 7, 2017 or the trial date of February 20, 2017.

10. This Agreed Motion is not brought by either Party for purposes of unnecessary delay and is submitted in the joint belief that the requested extension will allow the Parties suitable time to prepare this matter for the filings of dispositive motions and/or trial.

WHEREFORE, Liguria Foods, Inc. and Griffith Laboratories, Inc. respectfully request that the Court grant their Agreed Motion extending fact discovery cutoff and expert discovery cutoff, and for any further relief this Court deems just and appropriate.

Date: January 14, 2016

Respectfully Submitted,

**LIGURIA FOODS, INC.**

By: /s/Jeffrey M. Heftman  
One of Its Attorneys

David L. Reinschmidt, Esq.  
**MUNGER, REINSCHMIDT & DENNE, L.L.P.**  
Suite 303, Terra Centre  
600 4th Street, P.O. Box 912  
Sioux City, Iowa 51102  
Tel.: (712) 233-3635/Facsimile: (712) 233-3649

Richard A. Del Giudice, Esq.  
Jeffery M. Heftman, Esq.  
**GOZDECKI, DEL GIUDICE, AMERICUS,  
FARKAS & BROCATO LLP**  
One East Wacker Drive, Suite 1700  
Chicago, IL 60601  
Tel: (312) 782-5010/Facsimile: (312) 782-4324  
**GRIFFITH LABORATORIES, INC.**

By: /s/ Christopher Wilson

Christopher B. Wilson  
Randy A. Bridgeman  
**Perkins Coie LLP**  
131 South Dearborn Street, Suite 1700  
Chicago, IL 60603-5559  
Tel: (312) 324-8603/Facsimile: (312) 324-9603

John C. Gary  
**Heidman Law Firm, LLP**  
1128 Historic Fourth Street  
P.O. Box 3086  
Sioux City, IA 51102-0386  
Tel: (712) 255-8838/Facsimile: (712) 258-6714

**CERTIFICATE OF SERVICE**

I, Jeffery M. Heftman, an attorney, hereby state under oath that on this 14th day of January, 2016 I caused **Liguria Foods, Inc.'s and Griffith Laboratories, Inc.'s Agreed Motion to Extend Fact and Expert Discovery** to be filed and served electronically with the U.S. District Court, Northern District of Iowa e-filing system (CM/ECF). Notice of this filing will be sent to all counsel of record by operation of the e-filing system (CM/ECF).

/s/Jeffery M. Heftman